



Writer's email:
dawn@smithclinesmith.com

May 16, 2019

Via Electronic Mail and Certified Mail Return Receipt Requested

Lisa Qualls
Hardin County Bank
1540 Wayne Road
Savannah, Tennessee 38372

Re: *Elliot and Sarah Franks' pending litigation; loan number* [REDACTED]

Dear Ms. Qualls:

Our firm represents Elliot and Sarah Franks in a connection with defective spray foam insulation installed in their home. We understand that your bank provided the construction loan to the Franks for this home, and we are writing to explain the pending litigation and the financial hardship it is currently imposing on the Franks.

While building their home, the Franks had Apex Building Company, LLC install a spray foam insulation product, manufactured by Gaco Western, LLC. Because of the inherently dangerous properties of spray foam insulation, and the improper method of installation, the Franks' home is currently uninhabitable. Air testing has confirmed that the spray foam insulation has been off-gassing dangerous concentrations of formaldehyde, a known carcinogen. The Franks family has been forced to maintain alternate living arrangements and have suffered from severe health problems caused by their prolonged exposure. Needless to say, the Franks are experiencing a significant financial hardship.

To that end, we are preparing a lawsuit against Apex Building Company, LLC and Gaco Western, LLC for negligence, violations of the Tennessee Consumer Protection Act of 1977, and strict liability in tort. We are asking the Court to compensate the Franks' for their injuries and make them whole again. We will forward a copy of the lawsuit to you as soon as it is filed.

In the meantime, we hope you will consider the Franks' current financial situation and consider suspending payment requirements for the Franks on their loan until they are able to resume making payments.

We appreciate your professional courtesy and cooperation and we look forward to hearing from you.

Very truly yours,

SMITH CLINESMITH LLP

A handwritten signature in black ink, appearing to read "Dawn M. Smith", written in a cursive style.

DAWN M. SMITH

DMS/PW
Cc: Sarah Franks